

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Kevin M. Campbell Chandra M. Campbell  BANK OF AMERICA, N.A. , C/O PENNYMAC LOAN SERVICES, LLC, AS SERVICER  v. Kevin M. Campbell Chandra M. Campbell and William C. Miller, Esquire	Debtors  Movant  v. Respondents	12-20770 ELF  Chapter 13 Proceeding
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**MOTION OF BANK OF AMERICA, N.A. ,  
C/O PENNYMAC LOAN SERVICES, LLC, AS SERVICER  
FOR RELIEF FROM THE AUTOMATIC STAY**

AND NOW, comes secured Creditor, BANK OF AMERICA, N.A. , C/O PENNYMAC LOAN SERVICES, LLC, AS SERVICER (Movant) by and through its counsel, POWERS KIRN & ASSOCIATES, LLC, (Jill Manuel-Coughlin on behalf of the firm), hereby requests that the Court grant it relief pursuant to 11 U.S.C. §362(d) from the automatic stay of 11 U.S.C. §362(a) due to lack of equity in debtors' property and debtors' failure to provide Movant with adequate protection of its interest in the property which is the basis of the creditor's security.

1. On or about November 19, 2012, Debtors filed a Chapter 13 Bankruptcy Petition.
2. The Debtors have executed and delivered or are otherwise obligated with respect to that certain promissory note in the original principal amount of \$171,700.00 (the "Note"). A copy of the Note is attached hereto as **EXHIBIT A**. Movant is an entity entitled to enforce the Note.
3. On 11/25/2009, the debtors executed a Mortgage to Movant and/or Movant's assignor (recorded 12/03/2009 at Instrument# 52151777) and secured by the property located at 509 Solly Avenue, Philadelphia, PA 19111, referred to as the "Property" (**EXHIBIT B**).
4. All rights and remedies under the Mortgage have been assigned to the Movant pursuant to an assignment of mortgage (**EXHIBIT C**).
5. A copy of the Debtors' Loan Modification dated 8/3/2011 is attached hereto as **EXHIBIT D**.
6. As of 4/19/2017, the total owing to Movant is \$174,937.49.
7. Per Debtors' Schedule A, the approximate value of the property is \$191,026.00 (**EXHIBIT E**).
8. As of 4/19/2017, the debtors are in arrears post petition for three (3) monthly payments, from 2/1/2017 through 4/1/2017 at \$1,479.52 per month. The total post-petition arrearage is \$4,438.56, less \$745.31 debtor suspense for a total of **\$3,693.25**.

9. Pursuant to 11 U.S.C.A. section 362(d)(1) and (2), BANK OF AMERICA, N.A., C/O PENNYMAC LOAN SERVICES, LLC, AS SERVICER is not adequately protected and will suffer irreparable injury, harm and damage if relief from the stay is not granted.

WHEREFORE, Movant respectfully request the Honorable Court ORDER:

That Relief from the Automatic Stay be granted to BANK OF AMERICA, N.A., C/O PENNYMAC LOAN SERVICES, LLC, AS SERVICER to proceed with foreclosure action to obtain all other Relief available under Non-Bankruptcy law. And that Bankruptcy Rule 4001(a)(3) is not applicable and Movant is allowed to immediately proceed with foreclosure and all other relief available under the Non-Bankruptcy law. Furthermore, Movant respectfully requests that reasonable attorneys fees and costs associated with this Motion be awarded to Movant.

RESPECTFULLY SUBMITTED,  
POWERS KIRN & ASSOCIATES, LLC

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Dated: May 4, 2017